

81-56-A A 81-56-A 18 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Charles D. Schnee, legal owner of the property situate in P. more County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4B.4 (103.3 & 1A00.3B.3) to permit side yard setbacks of 35' in lieu of the required 50'.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
1. Sideyard setback requirements in an RDP Zone are too restrictive.
 2. Size and shape of lot and unusual terrain make it impossible to build within the requirements of zoning and sanitary regulations.
 3. Restrictive Covenants and public demand in this area require the erection of larger houses than normally constructed.
 4. Existing well and septic system on adjacent lot pose a serious hardship in locating house site.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser: Charles D. Schnee
Address: 213 Pullington Road
Timonium, Maryland 21093
301-252-2825

Protestant's Attorney: Robert L. Zouck, Jr.
Address: 19 Murdock Rd.
Timonium, Maryland 21093

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

of July, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of September, 1980, at 9:45 o'clock

County, on the 18th day of September, 1980, at 9:45 o'clock

John L. Wimbley
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 4, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Charles D. Schnee
213 Pullington Road
Timonium, Maryland 21093

RE: Item No. 18
Petitioner - Charles D. Schnee
Variance Petition

Dear Mr. Schnee:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

The subject property is one of a number of lots that were the subject of a previous zoning hearing (Case No. 73-270-4) in which requests to reduce the required side setbacks of proposed dwellings were granted. Because of the present proposal to locate your proposed dwelling to the rear of this property, which differs from the site plan filed with the original hearing, it was Mr. Dyer's decision that a new Variance would be required. Particular attention should be afforded to the comments of the Health Department.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bac

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 8, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #18 (1980-1981)
Property Owner: Charles D. Schnee
N/W Holly Branch Ct. 710' N/W of Holly Knoll Drive
Acres: 31.40/475.25 x 370.41/263.00
District: 10th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #107203, executed in conjunction with the development of Holly Knoll Estates, of which, this property is Lot 39 of "Plat 2 of 2 - Holly Knoll Estates", recorded E.H.K., Jr. 36, Folio 18.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 18 (1980-1981).

Very truly yours,

Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley

U-SE Key Sheet
70 & 71 NE 16 Pos. Sheets
NE 18 E Topo
44 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

August 25, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #18, Zoning Advisory Committee Meeting, July 22, 1980, are as follows:

Property Owner: Charles D. Schnee
Location: NW/S Holly Branch Ct 710' N/W of Holly Knoll Drive
Acres: 31.40/475.25 X 370.41/263.00
District: 10th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning & Development



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE COLLINS
DIRECTOR

August 11, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering by no comments on Items 15, 16, 17, and 18 of the Zoning Advisory Committee Meeting of July 22, 1980.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/hmd



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., MPH
DEPUTY STATE & COUNTY HEALTH OFFICER

July 27, 1980

Mr. William R. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #18, Zoning Advisory Committee Meeting of July 22, 1980, are as follows:

Property Owner: Charles D. Schnee
Location: NW/S Holly Branch Ct. 710' N/W of Holly Knoll Dr.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit side yard setback of 35' in lieu of the required 50'
Acres: 31.40/475.25 X 370.41/263.00
District: 10th

The proposed dwelling will be served by an existing well and proposed sewage disposal system.

All requirements of the Maryland State Department of Health and Baltimore County Department of Health pertaining to private water and/or sewerage systems must be complied with prior to approval of building applications.

Approval of a building permit for the proposed dwelling will be based on the plot plans dated May 19, 1980 that were revised and submitted to this office on July 8, during the procedure of filing for a building permit application.

Very truly yours,

John J. Parnell
John J. Parnell, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJP/mw



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

September 4, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Charles D. Schnee

Location: NW/S Holly Branch Ct. 710' N/W of Holly Knoll Drive

Item No.: 18 Zoning Agenda: Meeting of 7/22/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Paul H. Reincke Noted and Approved: George M. Hegmann
PLANNING GROUP FIRE PREVENTION BUREAU
SPECIAL INSPECTION DIVISION

/mb

Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations will result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of October, 1980, that the herein Petition for Variance(s) to permit yard setbacks of 35 feet in lieu of the required 50 feet should be and the same GRANTED, from and after the date of this Order, subject to the approval of a plan by the Health Department, the Department of Public Works, and the Office Planning and Zoning.

Jan M.H. Jung
Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/S of Holly Branch Ct., 710'
NW of Holly Knoll Dr.,
10th District : OF BALTIMORE COUNTY

CHARLES D. SCHNEE, Petitioner : Case No. 81-56-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of September, 1980, a copy of the foregoing Order was mailed to Mr. Charles D. Schnee, 213 Purlington Road, Timonium, Maryland 21093, Petitioner.

John W. Hession, III
John W. Hession, III

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of living area of which at least 1,900 square feet shall be on the first floor; a one story structure shall contain at least 2,400 square feet of living area. All houses on said lots shall have a least a two car attached or built in garage.

On Lot 1, the dwelling constructed thereon shall comply with the following minimum square footage requirements: a two story shall contain at least 2,100 square feet of living area of which at least 1,250 square feet shall be on the first floor; a one and one-half story structure shall contain at least 1,900 square feet of living area of which at least 1,200 square feet shall be on the first floor; a one story structure shall contain at least 1,600 square feet of living area. Said lot shall not be required to have an attached or built in garage.

Garages and basements shall not be construed as living area. Basement area shall be considered any area which has one or more walls three feet below the finished grade. The exterior of any structure or basement except on Lot 1 shall not consist of exposed concrete block, stucco or concrete.

In the event of the failure of the purchaser or purchasers of lots in Holly Knoll Estates to obtain the required prior written approval of plans, specifications and grading studies as established in this paragraph, said purchasers hereby agree to reimburse the Declarant or its assigns for all costs and expenses to which it may be put as a result of said failure including, but not limited to Court costs and Attorneys fees.

3. No trailer, boat, tent, shack, commercial vehicle, barn or other building, except garage, shall be erected or maintained on any lot at any time, nor shall any structure, basement or garage be used as a residence either temporarily or permanently. Any dwelling constructed on said lot shall be completed in every exterior detail within 12 months from date of beginning such construction. The Declarant reserves the right to take any remedial action necessary to remove the violation or other objections indicated in these Restrictive Covenants, more particularly to Article 2. Such costs shall be levied against the Owner of the lot. However, the lot owner shall be given 30 days written notice to correct violation. Notice shall be considered given as date of postmark on notice mailed to

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last known address of lot Owner.

4. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

5. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. Before construction of a dwelling the lot owner shall maintain the lot in a reasonable and orderly manner.

6. No live poultry, hogs, cattle or other livestock shall be kept on any lot, except that a maximum of two dogs and two cats are permitted provided that they are properly housed and cared for and restricted to the lot Owner's property. Horses and ponies are permitted to be kept on lots over two acres, provided that said horses and ponies are properly housed in a stable and attached paddock.

7. The Declarant or its assigns reserve the right to waive such portion of the protective covenants placed on this property as they deem necessary in the best interest of the development as determined by their judgment; such waiver shall be in writing.

8. The Declarant reserves the right to alter lines between lots owned by the Declarant.

9. No signs of any kind shall be placed or displayed on any improved or unimproved lots advertising that said lots are for sale, rent, etc., unless approved in writing by the Declarant. This restriction shall terminate July 1, 1975.

10. Owners of lots shall be responsible for complying with all Baltimore County and State Health Department regulations and the Public Works Agreement, so far as same are applicable, particular attention being called to well drilling requirements which are the responsibility of the lot Owner.

11. Owners of lots shall be responsible for providing driveway access to their lots from the paved portion

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This Declaration of Restrictions made this 25th day of January, 1973, by Holly Knoll Estates, a Limited Partnership, existing under the Laws of the State of Maryland, Declarant.

Whereas the Declarant is the fee simple owner of all of the lots as shown on the following Plats:

(A) Plat 1 of 2 Holly Knoll Estates, which Plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 36 folio 17,

(B) Plat 2 of 2 Holly Knoll Estates, which Plat is recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr. No. 36 folio 18, and

Whereas the Declarant for the purpose of creating and maintaining a general scheme of development, and for the purpose of establishing certain easements and rights of ways, desires that the lots be subject to the covenants, conditions and restrictions hereinafter set forth.

NOW THEREFORE THIS DECLARATION WITNESSETH, that the Declarant for itself, its successors and assigns in consideration of the mutual benefits to be derived by it and by subsequent lot owners does hereby impose upon the aforesaid lots, the following covenants, conditions and restrictions, to wit:

1. The land included in this tract shall be used for private residential purposes only, and no dwelling shall be erected, altered, placed, or permitted to remain on any lot other than one detached dwelling not to exceed two and one-half stories in height, each dwelling being designed for occupancy by a single family, and a private garage for not more than three cars. Single family occupancy shall not be construed to prevent the erection of a dwelling with an apartment or living area incorporated therein for a member or members of the Owner's immediate family.

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of the County Road abutting the Owner's lot. All driveways shall be paved with a hard durable surface such as macadam, tar and chip, concrete or other similar material.

12. All plans referred to in Article 2 above shall be submitted in duplicate. They shall be complete with specifications, landscaping and outbuildings, etc. A fee of \$50.00 shall accompany the submission of plans. The fee is non-refundable. If plans are returned disapproved the fee will not be returned. However, no subsequent fee will be charged for review of revised or new plans submitted by the same lot Owner for the same lot. If outbuildings, landscaping plans are submitted separately an additional fee of \$15.00 will be required and is non-refundable. However, no subsequent fee will be charged for review of disapproved plans, revised, or other plans submitted for the same coverage. Plans will be reviewed and approved, approved if modified as indicated, or disapproved within 10 days. Approval, qualified approval and/or disapproval will be indicated thereon and returned to the Owner. One set will be retained by the Declarant for checking conformity in line with approval.

13. The Board of Review on plans whose decision shall be the decision of the majority and not necessarily unanimous, shall consist of:

A representative of the Declarant
A representative of the selling agency
A registered Architect, registered in the State of Maryland
A Holly Knoll Estates property Owner (if and when available).

14. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, and it shall be lawful for any person or persons owning any part of this tract to prosecute such proceedings.

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2. No building, fence, wall, hedge or other structures shall be commenced, erected, placed or altered in structure, or color, on any lot until the plans and specifications and including color scheme and a grading plan showing the location of the structure shall have been approved in writing by the Declarant, its assigns or duly appointed agent. No chain link fence will be approved by the Declarant, its assigns or duly appointed agent. The Declarant shall have the right to refuse to approve, or require modification of, any such plans or specifications, or grading and location plans which are not suitable or desirable, in its opinion, for aesthetic or other reasons, and in so passing upon such plans, or specifications, or grading, and location plans, it shall have the right to take into consideration the suitability of the proposed building, or other structure and of the materials, of which it is built, to the site upon which it is proposed to erect the same, the harmony thereof with the surroundings and the effect of the building or other structure or the roadway as planned and the outlook from the adjacent or neighboring properties.

On all lots except lots Nos. 1, 46, 47, 50, 51, 52, 53, 54, 55, 56, 57 and 58, the dwelling erected thereon shall comply with the following minimum square footage requirements: a two story structure shall contain at least 2,500 square feet of living area of which at least 1,450 square feet shall be on the first floor; a one and one-half story structure shall contain at least 2,300 square feet of living area of which at least 1,400 square feet shall be on the first floor; a one story structure shall contain at least 2,000 square feet of living area. All houses on said lots shall have at least a one car attached or built in garage.

On lots Nos. 46, 47, 50, 51, 52, 53, 54, 55, 56, 57 and 58, the dwelling erected thereon shall comply with the following minimum square footage requirements: a two story structure shall contain at least 3,000 square feet of living area of which at least 1,750 square feet shall be on the first floor; a one and one-half story structure shall contain at least 2,700 square

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Invalidation of any one of these covenants by judgment or Court Order shall in no wise effect any other provisions which shall remain in full force and effect.

15. While lots 53 and/or 55 are owned by the owner or owners of lot 54, nothing herein contained shall be construed to prevent the use of lots 53 and/or 55 as part of the home site of the main dwelling house located lot 54, nor shall the provisions of Paragraph 6 of these restrictions bar the use of lots 53 and/or 55 as a stable and attached paddock for the keeping of horses and ponies, while used in conjunction with the home site on lot 54.

16. The owners of lots 13, 14, 15, 16 and 17 shall have the right to the use in common of a thirty-six (36) foot wide Right of Way extending southwesterly from the cul-de-sac at the end of Holly Berry Court where the same is intersected by lots 14, 15, and 16, and running thence as follows: said Right of Way being located one-third (1/3) on the Northwest side of and two-thirds (2/3) on the Southeast side of the South 24 degrees 3 minutes 47 seconds West 239.00 feet division line between lots 15 and 16 to the end thereof. Cost of maintenance for the Right of Way including the costs of mowing the grass shoulders and snow removal and the cost of any subsequent improvement thereof, shall be borne as follows:

One-fifth (1/5) by the owner of lot 13
One-fifth (1/5) by the owner of lot 14
One-fifth (1/5) by the owner of lot 15
One-fifth (1/5) by the owner of lot 16
One-fifth (1/5) by the owner of lot 17

In the event the owners of said lots desire to improve said Right of Way, then the type and nature of improvement shall be by a majority vote of the owners of said lots having the right to the use of said Right of Way.

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The owners of lots 14, 15 and 16 shall have the right to the use in common of a thirty-six (36) foot Right of Way beginning at the end of the Right of Way herein described and running thence as follows: said Right of Way being located one-third (1/3) on the Northwest side of and two-thirds (2/3) on the Southeast side of the South 43 degrees 5 minutes 39 seconds West 180.00 feet division line between lots 15 and 16 to the end thereof. Cost of maintenance for the Right of Way including the costs of mowing the grass shoulders and snow removal and the cost of any subsequent improvement thereof, shall be borne as follows:

One-third (1/3) by the owner of lot 14
One-third (1/3) by the owner of lot 15
One-third (1/3) by the owner of lot 16

In the event the owners of said lots desire to improve said Right of Way, then the type and nature of improvement shall be by a majority vote of the owners of said lots having the right to the use of said Right of Way.

17. The owners of lots 20, 21, 22, 23, 24 and 25 shall have the right to the use in common of a thirty-six (36) foot wide Right of Way extending Northwesterly from Holly Knoll Drive. Said Right of Way lying adjacent to and Northeasterly of the division line between lots 20 and 22 and beginning at a point on Holly Knoll Drive intersected by the division line between lots 20 and 22 and running thence on said division line North 79 degrees 29 minutes 30 seconds West 310.00 feet to the end thereof. Cost of maintenance for the Right of Way including the costs of mowing the grass shoulders and snow removal and the cost of any subsequent improvement thereof, shall be borne as follows:

One-sixth (1/6) by the owner of lot 20
One-sixth (1/6) by the owner of lot 21
One-sixth (1/6) by the owner of lot 22
One-sixth (1/6) by the owner of lot 23
One-sixth (1/6) by the owner of lot 24
One-sixth (1/6) by the owner of lot 25

HOLLY KNOLL ESTATES

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In the event the owners of said lots desire to improve said Right of Way, then the type and nature of improvement shall be by a majority vote of the owners of said lots having the right to the use of said Right of Way.

18. The owners of lots 26, 27, 28, 29 and 30 shall have the right to the use in common of a thirty-six (36) foot wide Right of Way extending Northwesterly from Holly Knoll Drive. Said Right of Way lying adjacent to and Northeasterly of the division line between lots 26 and 27 and beginning at a point on Holly Knoll Drive intersected by the division line between lots 26 and 27 and running thence on said division line North 45 degrees 21 minutes 50 seconds East 265.00 feet to the end thereof. Cost of maintenance for the Right of Way including the costs of mowing the grass shoulders and snow removal and the cost of any subsequent improvement thereof, shall be borne as follows:

One-fifth (1/5) by the owner of lot 26
One-fifth (1/5) by the owner of lot 27
One-fifth (1/5) by the owner of lot 28
One-fifth (1/5) by the owner of lot 29
One-fifth (1/5) by the owner of lot 30

In the event the owners of said lots desire to improve said Right of Way, then the type and nature of improvement shall be by a majority vote of the owners of said lots having the right to the use of said Right of Way.

Owners of lots 26, 27, 28 and 29 shall have the right to the use in common of a thirty-six (36) foot wide Right of Way lying adjacent to and east of the division line between lots 26 and 27 beginning at the end of the Right of Way herein described and running thence North 45 degrees 21 minutes 50 seconds West 95 feet to the end thereof. Cost of maintenance for the Right of Way including the costs of mowing the grass shoulders and snow removal and the cost of any subsequent improvements thereof, shall be borne as follows:

HOLLY KNOLL ESTATES

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One-fourth (1/4) by the owners of lot 26
One-fourth (1/4) by the owners of lot 27
One-fourth (1/4) by the owners of lot 28
One-fourth (1/4) by the owners of lot 29

In the event the owners of said lots desire to improve said Right of Way, then the type and nature of improvement shall be by a majority vote of the owners of said lots having the right to the use of said Right of Way.

19. No motor-bikes, motorcycles or mini-bikes shall be operated on any lot.

AS WITNESS the hand and seal of James E. Matthews, General Partner of Holly Knoll Estates, the Declarant herein.

WITNESS: HOLLY KNOLL ESTATES, a Limited Partnership
Robert E. Carney, Jr. BY: James E. Matthews, General Partner

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 25th day of January 1973, before me the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared James E. Matthews, General Partner of Holly Knoll Estates, and acknowledged the foregoing Declaration of Restrictions to be the act of said Partnership.

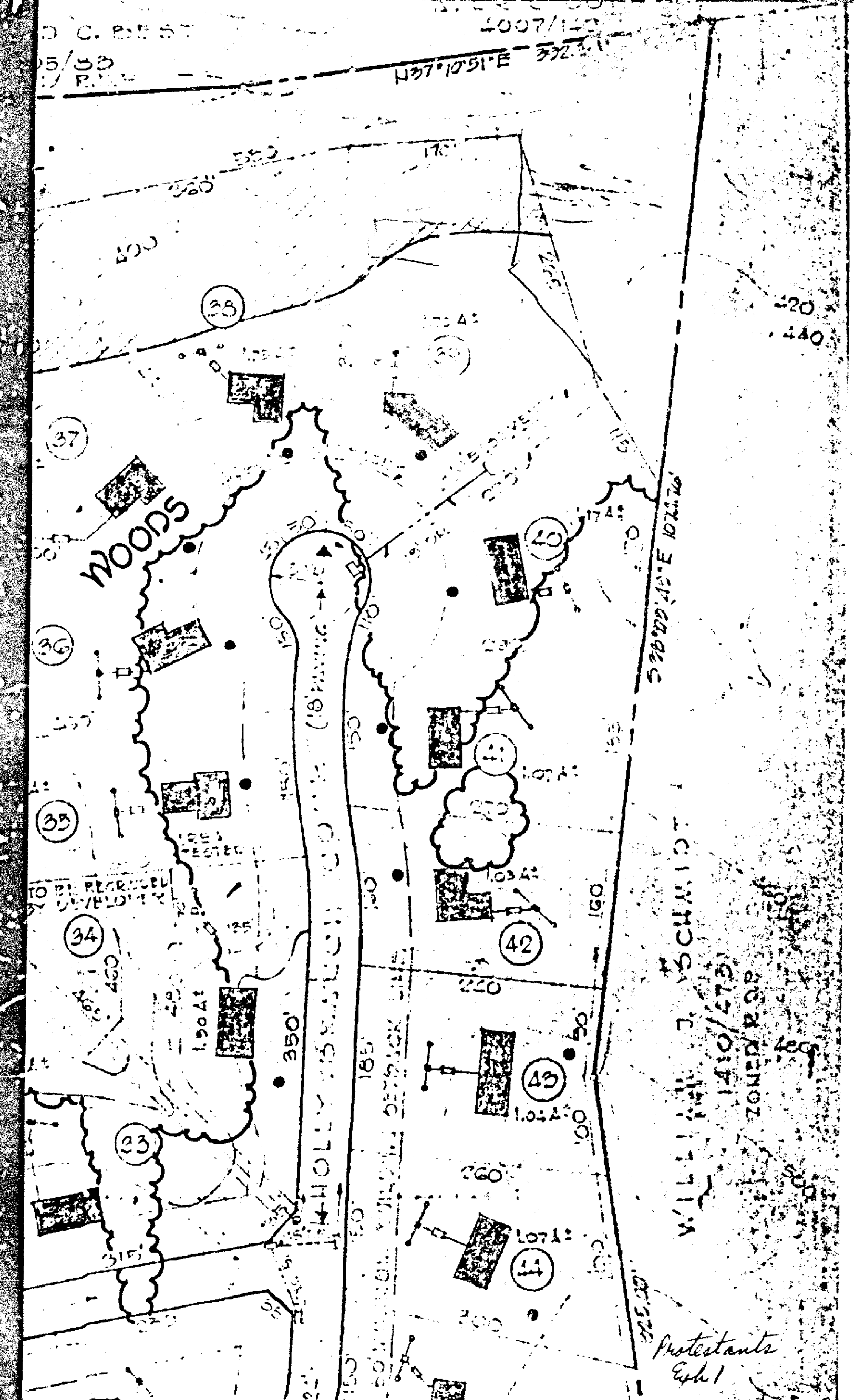
AS WITNESS my Hand and Notarial Seal.

NOTARY PUBLIC
Robert E. Carney, Jr.
BALTIMORE COUNTY, MD.

PG0154 2 EL-52 MW
PG0154 2 EL-52 MW

Rec'd for record JAN 25 1973 at 1:30
Per Elmer H. Kahline, Jr., Clerk
Mail to Bruce H. Hargreaves, Jr.
Receipt No. 97-23-50

HOLLY KNOLL ESTATES



June 11, 1980

Mr. Paul Anecharico
Pres. - Holly Knoll Community Assoc.
4012 Holly Knoll Drive
Baltimore County, Maryland

Re: Holly Knoll - Lot #39

Dear Paul:

After due consideration of the Site Plan for the above referenced lot - as prepared by Chesapeake Consultants, Inc., dated 5/19/80, and the construction drawings as prepared by Cumberland Corp. - my recommendations are as follows:

1. Approve construction drawings as noted, and require a revised set of drawings and color schedule, for the record.
2. Conditional approval of the site plan; resolve the following and re-submit:
 - a. How will well be serviced in an emergency? What about landscaping, ice, mud, and snow?
 - b. Revise driveway turnaround as shown on accompanying plan.
 - c. Retain all good trees where possible.
 - d. Submit landscape plan for approval.
 - e. Introduce broad leaf evergreens along side lot lines and throughout woods, such as rhododendrons, mountain laurel etc.
 - f. Naturalize front of lot with same type of planting, and create irregular masses of low maintenance ground cover, such as English ivy, periwinkle, etc.

June 11, 1980
Page 2

3. Although this site plan may be approved by Baltimore County as per health department requirements, it is not in keeping with the spirit and intent of the development plan as prepared by George Wm. Stephens and Assoc., Inc.

I hereby recommend the owners of this property give just consideration to building their house closer to Holly Branch Court, in line with the adjacent houses on lots #28 & 40, and locate the well and septic area as per approved development plan.

Very truly yours,
Robert J. Bayer
Robert J. Bayer
Architect

RJB:cab

Mr. & Mrs. C. Schnee
215 Purlington Road
Towson, Maryland 21093

Dear Mr. & Mrs. Schnee:

The Architectural Review Committee met on June 30, 1980, and unanimously agreed that the drawings submitted are not adequate for granting final approval. Please submit "Professionally" drawn plans of all elevations showing all details, specifically all and any basement windows, basement doors, all decks, steps, any grade changes, walkway, paths, retaining walls, etc.

Please bear in mind there must incorporate all changes and requirements in our letter from June 12, 1980. Please feel free to call me should you have any questions. Thank you in advance for your cooperation.

Very truly yours,

Paul Anecharico
Paul Anecharico

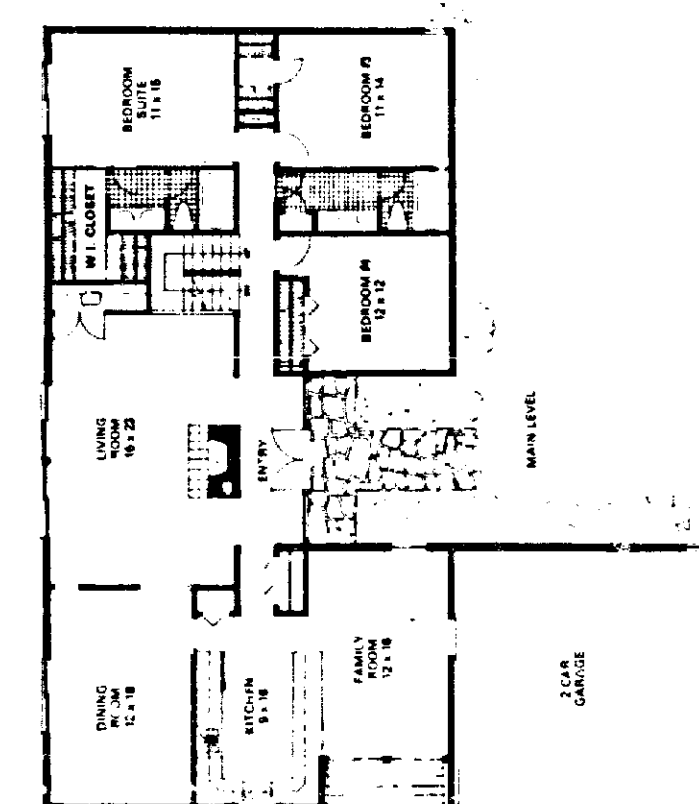
CC: Mrs. Carolyn Feige
Mr. R. Bayer
Mr. D. Sadlack

PA/clm

Protestants Ep. 2

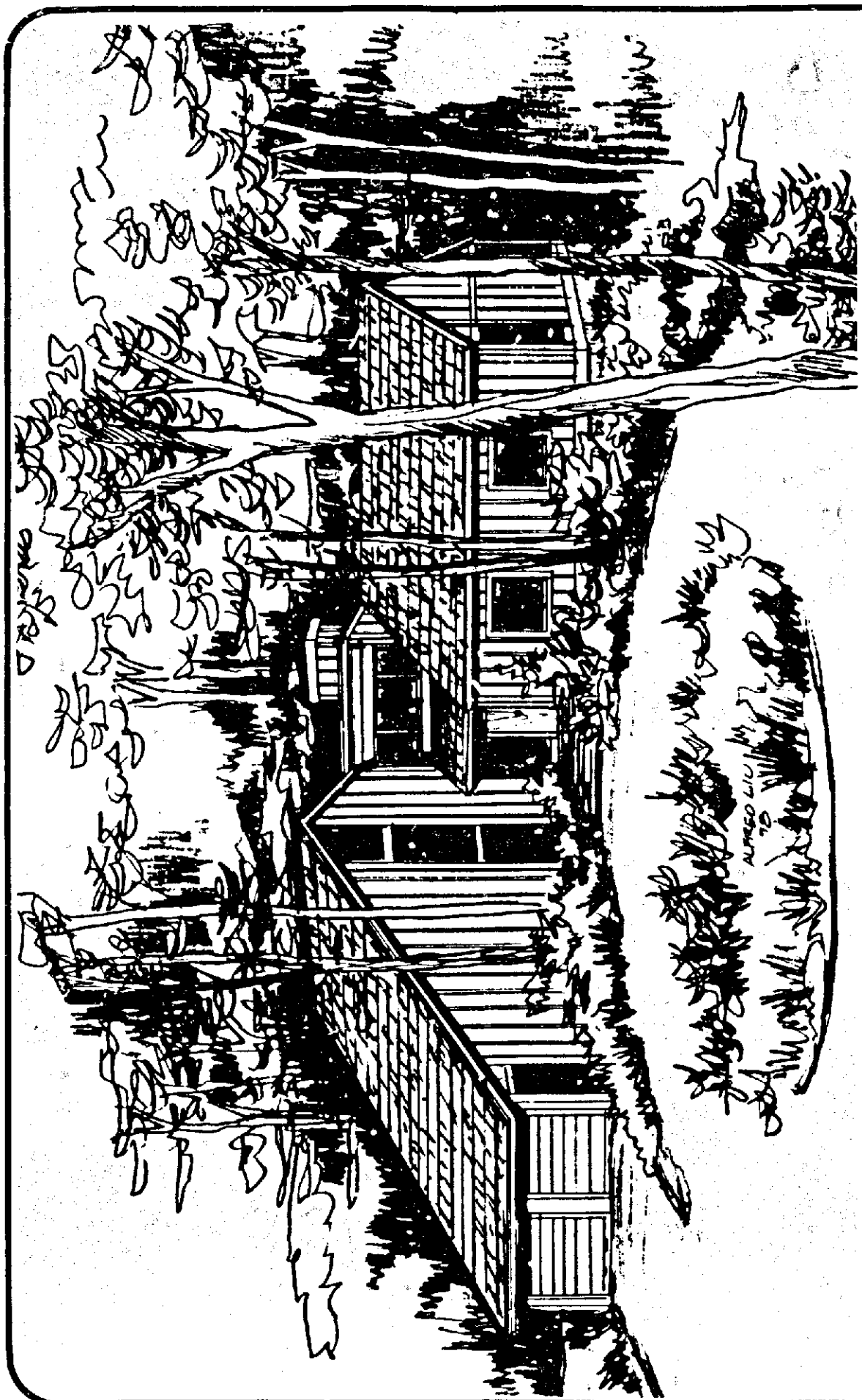
THE HAMILTON
Enjoy the warmth and harmony of
maintenance free all redwood and cedar homes.

- FEATURING:
- 2 x 6 Exterior Wall Studs 16" on Center
 - Thermaglass Windows
 - All Redwood or Cedar Exterior
 - All Masonry Foundations
 - Master Bedroom Suite
 - Cathedral Ceilings in Living Room



CUMBERLAND CORPORATION
MANASSAS, VIRGINIA

© Copyright 1978, Cumberland Corporation



CUMBERLAND CORPORATION
MANASSAS, VIRGINIA

THE HAMILTON

2822 square feet living area
484 square feet in garage
3306 Total Square Feet

© Copyright 1978, Cumberland Corporation
Pat. Pend.

PETITION FOR VARIANCE

10th DISTRICT

ZONING: Petition for Variance for side yard setbacks
LOCATION: Northwest side of Holly Branch Court and 710 feet Northwest of Holly Knoll Drive
DATE & TIME: Thursday, September 18, 1980 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit side yard setbacks of 35 feet in lieu of the required 50 feet

The Zoning Regulations to be excepted as follows:
Section 1A03.4B.4 - Building setbacks
Section 103.3 - Application of Zoning Regulations
Section 1A00.3.B.3 - Area Regulations

All that parcel of land in the Tenth District of Baltimore County

Being the property of Charles D. Schnee, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, September 18, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Beginning at a point on the northwest side of Holly Branch Court 710 feet northwest of Holly Knoll Drive and known as lot 39 of Plat 2 of Holly Knoll Estates and recorded among the land records of Baltimore County in Plat book 36 Folio 18.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 23, 1980

Robert L. Zouck, Jr., Esquire
79 Murdock Road
Baltimore, Maryland 21212

RE: Petition for Variances
NW/S of Holly Branch Ct., 710' NW of
Holly Knoll Dr. - 10th Election District
Charles D. Schnee - Petitioner
NO. 81-56-A (Item No. 18)

Dear Mr. Zouck:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Brian G. West, Esquire
409 Washington Avenue
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

August 19, 1980

Mr. Charles D. Schnee
213 Purlington Road
Timonium, Maryland 21093

NOTICE OF HEARING

RE: Petition for Variance - NW/S Holly Branch Ct, 710' NW of Holly Knoll Drive - Case No. 81-56-A

TIME: 9:45 A.M.

DATE: Thursday, September 18, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
FROM: John D. Seyffert, Director
Office of Planning and Zoning
SUBJECT: Petition No. 81-56-A Item 18

Date: September 2, 1980

Petition for Variance for side yard setbacks
Northwest side of Holly Branch Court and 710 feet Northwest of Holly Knoll Drive
Petitioner: Charles D. Schnee

Tenth District

HEARING: Thursday, September 18, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

JDS:JGH:ab

William E. Hammond
WILLIAM E. HAMMOND
ZONING COMMISSIONER OF
BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 4, 1980

Mr. Charles D. Schnee
213 Purlington Road
Timonium, Maryland 21093

RE: Petition for Variance
NW/S of Holly Branch Court,
710' NW of Holly Knoll Dr.
Case No. 81-56-A

Dear Mr. Schnee:

This is to advise you that \$46.25 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

Holly Knoll Estates Community Assoc.
4012 Holly Knoll Drive
Glen Arm, Maryland 21057

October 16, 1980

Mr. & Mrs. C. Schnee
213 Purlington Road
Timonium, Maryland 21093

Dear Mr. & Mrs. Schnee:

The Architectural Review Committee met on October 15, 1980, and approval of your plans has been completed. Your "Site Plan and Grading Study" is approved as drawn on the revised plans dated September 30, 1980. The construction plans revised on August 14, 1980, were also approved as submitted.

We thank you for your cooperation and hope you can proceed with construction of your new home. Please feel free to call me should you have any questions or problems.

Very truly yours,

Paul Ancharico
Paul Ancharico

By/and

CC: C. Feige
18 Holly Branch Court
Glen Arm, Maryland 21057

CC: R. Baer
2 Ansari Lane
Glen Arm, Maryland 21057

CC: D. Sedlack
4006 Holly Knoll Drive
Glen Arm, Maryland 21057

Early Hearing
8/24/80
NBC

John No. 18

213 Purlington Road
Timonium, Maryland 21093
July 24, 1980

William Hammond, Esq.
Zoning Commissioner
Baltimore County Office of Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner Hammond,

I am writing in reference to my recent request submitted to your office for a zoning variance for my property, 1st 39, of Holly Knoll Estates.

Mr. James E. Dyer, and other members of your staff, have advised me that it may take anywhere from 45 to 90 days or longer before our request can be considered. Unfortunately, we find ourselves in an extremely difficult situation and even the 45 day requirement is causing both financial and personal hardships.

I am writing to request that you consider our predicament and take whatever steps necessary to minimize the time delay. My wife and I appreciate any help, in this regard, that your offices may render.

Sincerely,
Charles D. Schnee
Charles D. Schnee

CDS/as

Mr. Charles D. Schnee
213 Purlington Road
Timonium, Md. 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

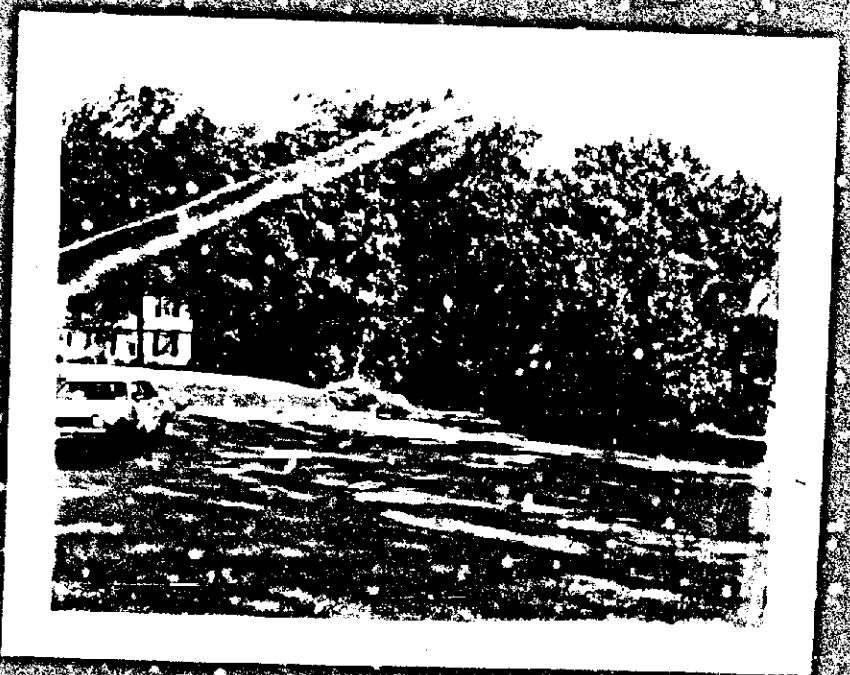
Your Petition has been received and accepted for filing this 22nd day of July, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Charles D. Schnee

Petitioner's Attorney

Reviewed by *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10 Date of Posting 8/31/80
Posted for: petition for variance
Petitioner: Charles D. Schnee
Location of property: 1st 39, Holly Knoll Estates, 1st 39, Holly Knoll Estates, 1st 39, Holly Knoll Estates
Location of Signs: front of property facing Valley Branch Ct.
Remarks: See Coleman Date of return: 9/5/80
Posted by Jan Coleman Signature
Number of Signs 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 091751

DATE 9/18/80 ACCOUNT 01-662
AMOUNT \$46.25
RECEIVED FROM Charles D. Schnee
FOR Adv. & Posting for Case No. 81-56-A
JAN 0 1981 18 4625
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 28, 1980
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once of one time successive before the 18th day of September, 1980, the next publication appearing on the 28th day of August, 1980.

THE JEFFERSONIAN
L. Frank Struth
Manager

Cost of Advertisement, \$

PETITION FOR VARIANCE

10th District
Zoning: Petition for Variance for side yard setbacks.
Location: Northwest side of Holly Branch Court and 710 foot Northwest of Holly Knoll Drive.
Date & Time: Thursday, September 18, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance to permit side yard setbacks of 35 feet in lieu of the required 50 feet.
The Zoning Regulations to be accepted as follows:
Section 1A00.4B.4 - Building setbacks.
Section 100.3 - Application of Zoning Regulations.
Section 1A00.3B.3 - Area Regulations.
All that parcel of land in the Tenth District of Baltimore County
Beginning at a point on the northwest side of Holly Branch Court 710 feet northwest of Holly Knoll Drive and known as lot 39 of Plat 2 of Holly Knoll Estates and recorded among the land records of Baltimore County in Plat book 36, Folio 18.
Being the property of Charles D. Schnee, as shown on plat plan filed with the Zoning Department.
Hearing Date: THURSDAY, SEPTEMBER 18, 1980 AT 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF
WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County

The Essex Times

Essex, Md., Aug 28, 1980

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 28th day of August, 1980
Charles D. Schnee Publisher.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 11 day of July, 1980.

Filing Fee \$ 25 Received: ☐ Check ☐ Cash ☐ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Charles D. Schnee Submitted by
Petitioner's Attorney Reviewed by WES

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

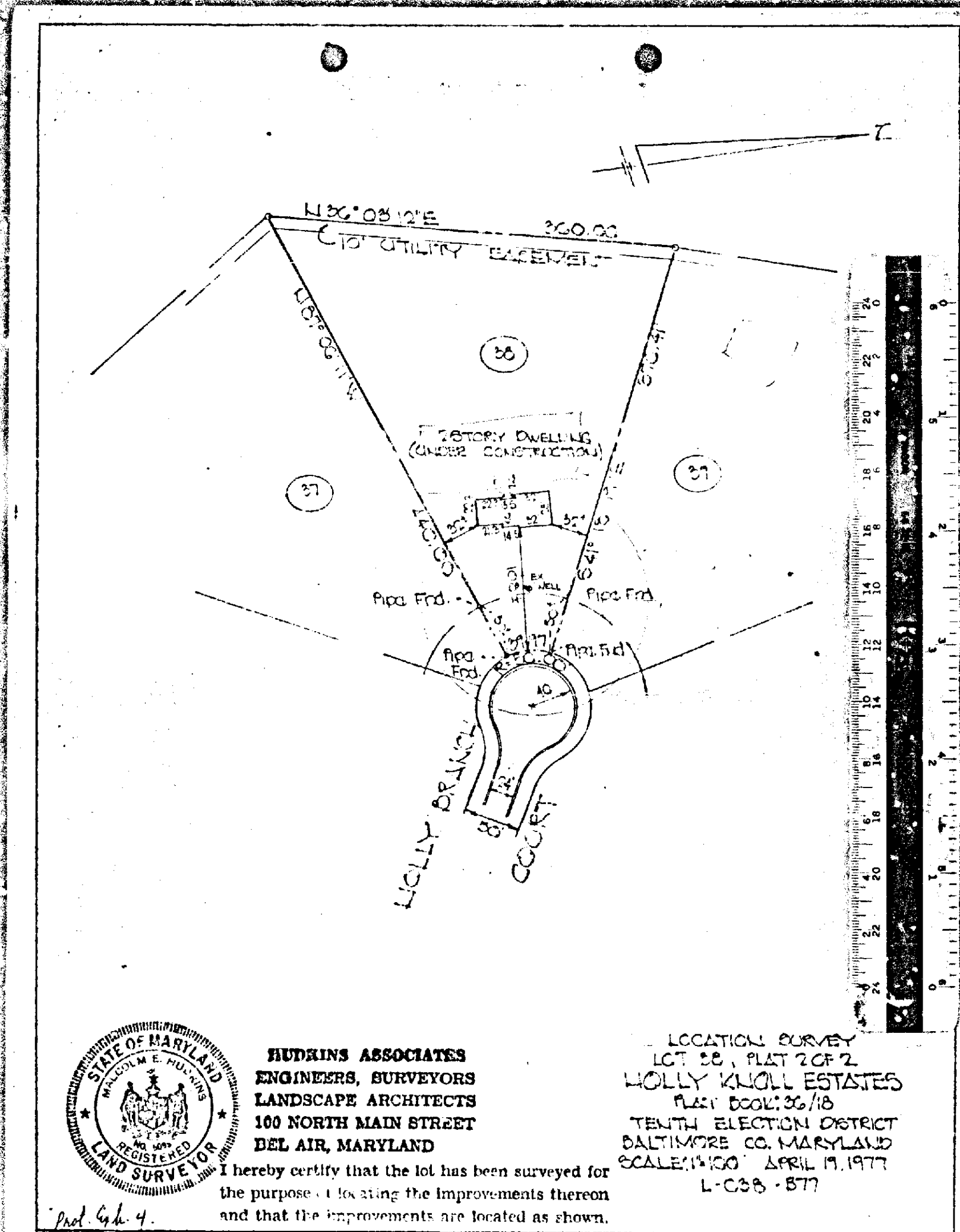
No. 089634

DATE August 19, 1980 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Charles D. Schnee
FOR Filing Fee for Case No. 81-56-A

VALIDATION OR SIGNATURE OF CASHIER



HUDRINS ASSOCIATES
ENGINEERS, SURVEYORS
LANDSCAPE ARCHITECTS
100 NORTH MAIN STREET
DEL AIR, MARYLAND

I hereby certify that the lot has been surveyed for the purpose of locating the improvements thereon and that the improvements are located as shown.

LOCATION SURVEY
LOT 39, PLAT 2 OF 2
HOLLY KNOLL ESTATES
PLAT BOOK 36/18
TENTH ELECTION DISTRICT
BALTIMORE CO. MARYLAND
SCALE: 1"=40' APRIL 11, 1977
L-058-877

PETITION MAPPING PROGRESS SHEET

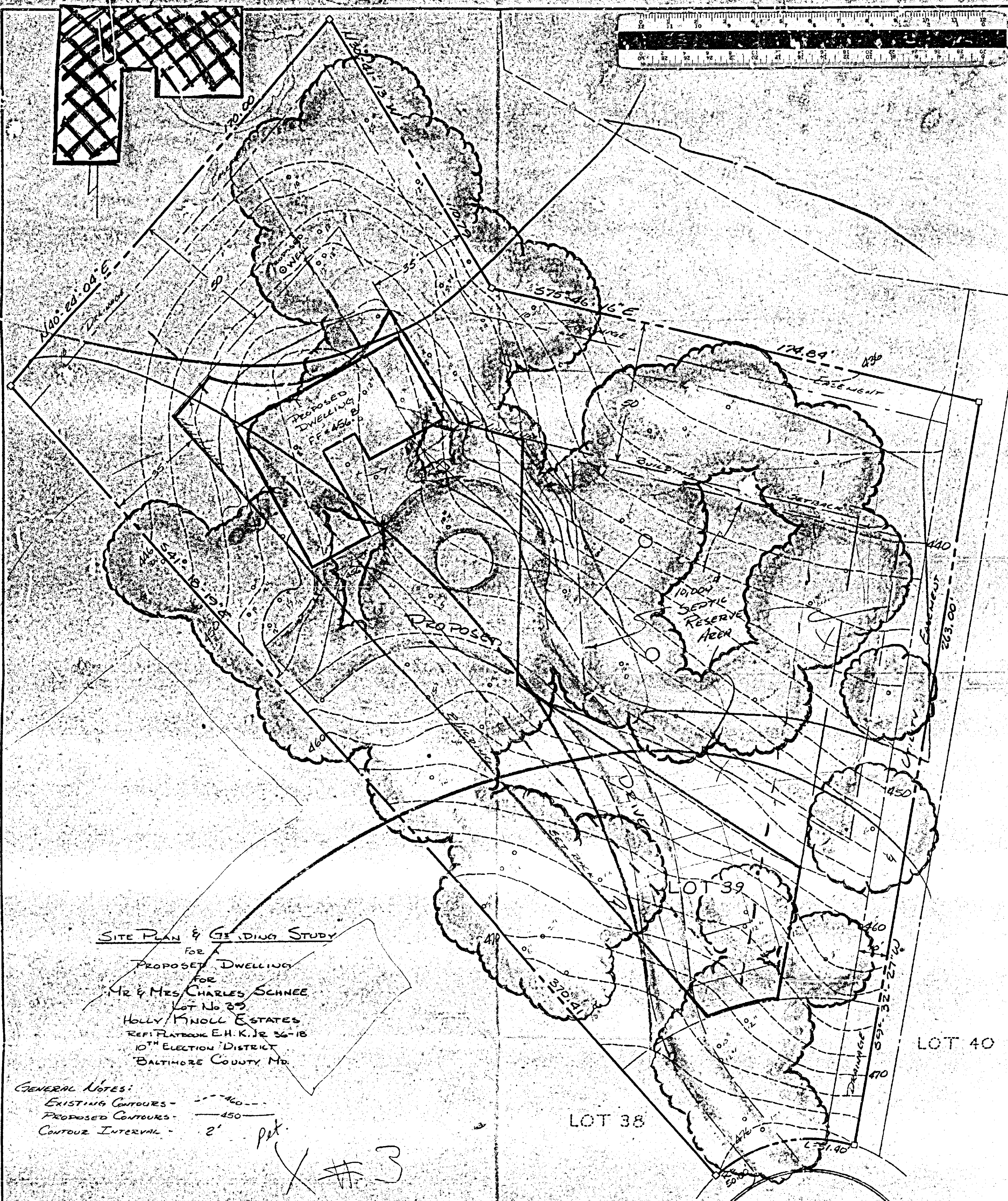
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: WES

Revised Plans:
Change in outline or description ☐ Yes ☐ No

Previous case: 73-2707

Map # 4/E 17-18-19



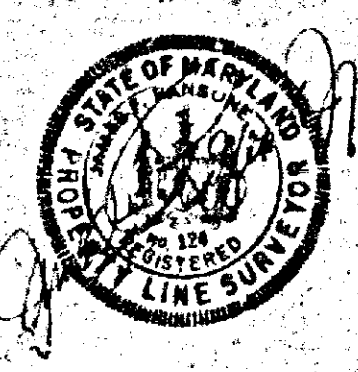
SITE PLAN & GRADING STUDY

FOR
 PROPOSED DWELLING
 FOR
 MR & MRS CHARLES SCHNEE
 LOT No. 39
 HOLLY KNOLL ESTATES
 REPT. PLATBOOK E.H.K. JR 36-18
 10TH ELECTION DISTRICT
 BALTIMORE COUNTY MD.

GENERAL NOTES:
 EXISTING CONTOURS - 40'
 PROPOSED CONTOURS - 450'
 CONTOUR INTERVAL - 2'

3

SCALE: 1"=20'
 MAY 19, 1980
 CHESAPEAKE CONSULTANTS INC.
 SURVEYORS & PLANNERS
 2330 YORK ROAD
 TIMONIUM, MARYLAND



APPROVALS	
CHAIRMAN - DEVELOPMENT REVIEW	DATE
SEDIMENT CONTROL BALTO CO	DATE
ZONING DEPT - BALTO CO	DATE

HOLLY BRANCH
 COURT

Plat for Zoning Variance

Side Yard Setbacks of 35'

Charles D. Schnee

Zoned RC 4 (was RDP)

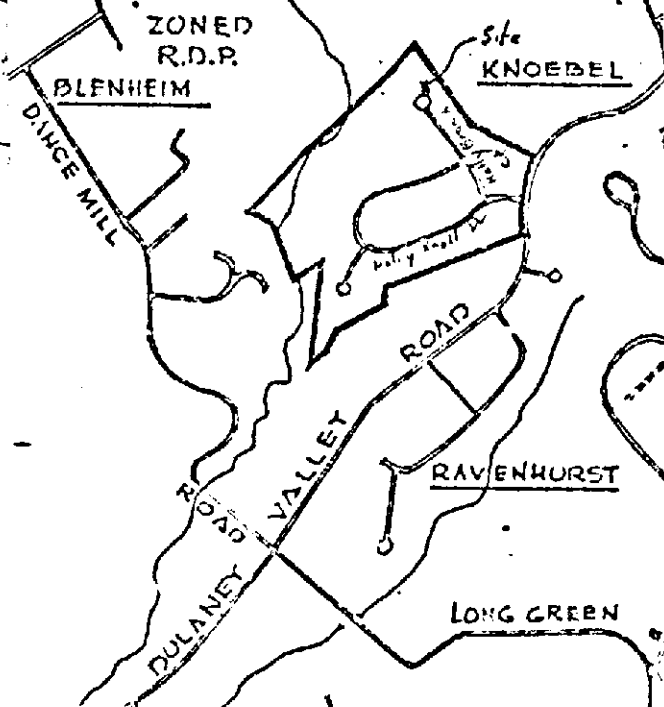
Scale 1"=100'

10th Election District

old Case # 73-270A

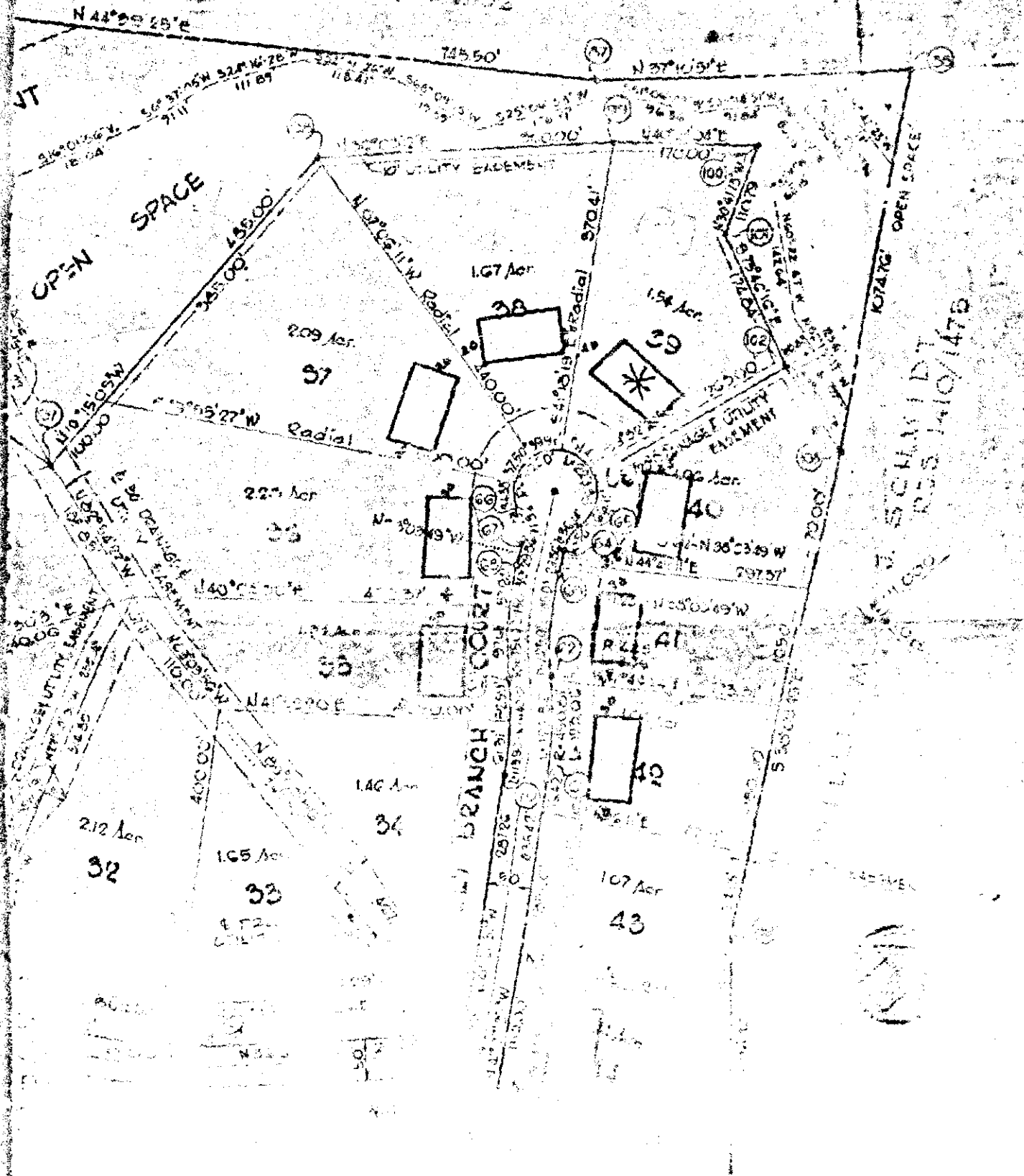
MAR 27 1962
SECTION 10
DISTRICT 10
DATE 2/13/62
TITLE
FILED
BY M/R

MAR 28 1962
 SECTION
 DIST. NO. 10
 G. T. 7/10
 TYPE
 RECD. NO. 1
 2/13/62
 EX. m12



[illegible]

VICINITY MAP
Scale: 1"=4000'



pet. Exh 1

MICROFILMED